

AGENDA
FLATHEAD COUNTY BOARD OF ADJUSTMENT
September 04, 2018

The Flathead County Board of Adjustment will meet on **Tuesday, September 04, 2018** beginning at 6:00 P.M. in the **2nd Floor Conference Room of the South Campus Building, 40 11th Street West, Ste. 200 Kalispell, Montana 59901.**

****Please turn off all cellular telephones.***

Regular meetings may be concluded at 11:00 P.M., at the discretion of the Chair. Any agenda item not considered prior to 11:00 P.M. will be rescheduled to the next regularly scheduled meeting.

All decisions made by the Board of Adjustment are considered final actions. Interested parties are encouraged to attend the meeting to make their views or concerns known to the Board. ***Written comments are strongly encouraged and should be received by the Flathead County Planning & Zoning Office, no later than 5:00 pm, September 04, 2018.***

The Agenda for the meeting will be:

- A. Call to order and roll call.**
- B. Approval of the August 07, 2018 minutes**
- C. Public comment on public matters that is within the jurisdiction of the Board (2-3-103 M.C.A.)**
- D. The Board will hold public hearings on the following agenda items. Following the public hearings, Board discussion, and the adoption of findings of fact, the Board may make a decision on the requests.**

1. FZV-18-02 A request from Dalton and Breanna Stupack for a variance to Section 3.09.040(3)(A) of the Flathead County Zoning Regulations (FCZR) to the side yard setback for a principal structure. The applicant is requesting the variance “to allow for safer approach/parking on the west side. Shifting the footprint of the house an additional 10 feet to the east nearly accommodates a car length. This distance is felt to dramatically improve the safety of approach to, as well as associated departure from home.” The property is located at 1750 Whalebone Drive near Kalispell, within the Lower Side Zoning District and contains approximately 3.2 acres.

2. FCU-18-09 A request from James and Victoria Codona for a conditional use permit to operate a ‘Home Occupation’ using an accessory structure for an auto repair shop on property located within the Westside Zoning District. The property is located at 1258 Two Mile Drive, near Kalispell, MT and is zoned SAG-10 (Suburban Residential). The property contains approximately 9.5 acres.

3. FCU-18-07 A request from Sands Surveying, Inc., on behalf of Don Herbert and Clearview Tower II, LLC for a conditional use permit for the placement of a 108’ Cellular Communications Tower on property located within the Middle Canyon Zoning District. The property is located at 1291 Belton Stage Road and is zoned CALURS (Canyon Area Land Use Regulatory System). The property contains approximately 20.2 acres.

4. FCU-16-18 By Court Order, the Flathead County Board of Adjustment shall reconsider the application for a conditional use permit issued to Monica Harris and Lisa Gilbert (FCU-16-18). During its reconsideration the Board shall review the record and make findings of fact and, as appropriate, conditions related to short term rentals. The Board shall also review the record and make findings of fact regarding the following:

- Whether the application at issue is for a business, such that the Flathead County Zoning Regulations applies to the application, or a commercial use;
- Whether and to what extent the application complies with the applicable Neighborhood Plan;
- Whether and to what extent the application shows that there will be adequate access, more specifically the factual basis for finding that there will be adequate roadways due to widening roadways where feasible and installing turnouts where necessary.

5. APPEAL 18-02 An appeal by Myron Nordquist regarding interpretations of the Flathead County Zoning Regulations (FCZR) made by the Zoning Administrator during the consideration of a request for an Administrative Conditional Use Permit by David & Sondra Shenton (FACU-18-23) to allow ‘short-term rental housing’ of the single family dwelling on property located at 101 Peaceful Lane, Lakeside, MT. The subject property is approximately 1.141 acres.

- E. Old Business**
- F. New Business**
- G. Adjournment**

Information and documents pertaining to the above requests are on file in the Flathead County Planning & Zoning Office, 40 11th Street West, Ste 220, Kalispell, MT 59901, and may be reviewed during regular office hours, or you may call (406) 751-8200 for more information.

Persons with a disability may request a reasonable accommodation by contacting Elaine Nelson at the Flathead County Commissioner’s Office at 758-5503 or TTY (800) 335-7592, or call Montana Relay at 711. Requests should be made as early as possible to allow time to arrange the accommodation.